

REMARKS**I. Introduction**

In response to the pending Office Action, Applicants have cancelled claims 1 and 4 and added claim 51 in order to further clarify the subject matter of the present invention and to overcome the § 112 rejections. The limitations of claims 1 and 4 have been incorporated into claim 51. Claims 1, 4, 6-39 and 50 have been cancelled, without prejudice. Claims 2, 3 and 5 have been amended to reflect proper claim dependency upon claim 51. Claims 40-49 were previously cancelled. As such, the § 112 rejection of claims 6-50 is moot. No new matter has been added.

Applicants note with appreciation the acknowledgement by the Examiner during a telephone conversation that the amendment will be allowed.

For the reasons set forth below, it is respectfully submitted that all pending claims are in condition for allowance.

II. The Rejection Of Claims 1-5 Under 35 U.S.C. § 112

Claims 1-5 were rejected under 35 U.S.C. § 112, first paragraph, because it is alleged that the specification does not provide enablement for any III-V Nitride semiconductor epitaxial form. Applicants respectfully traverse the rejections for at least the following reasons.

In the pending Office Action, the Examiner has alleged that the specification teaches, in a rather precise manner, specific growth conditions that would allow for an AlN layer having the crystal structure as recited to be formed on the silicon carbide substrate and that there is no teaching of how to form any other III-V Nitride semiconductor epitaxial film. Furthermore, in the February 15, 2007 Advisory Action, the Examiner stated that claims 1-3 and 5 would be

allowable if the claim makes clear that the 4H-AlN film as recited is the III-V Nitride semiconductor epitaxial film having 4H-polytype structure formed in contact with a substrate having 4H structure.

In response, Applicants have added new claim 51 which clarifies the above mentioned limitation. As new claim 51 has incorporated the limitations of claims 1 and 4 to recite that 4H-AlN is formed in contact with the substrate, and that the III-V Nitride semiconductor epitaxial film is a 4H-AlN film, Applicants assert that new claim 51, and all pending dependent claims thereon are indeed supported in the specification.

Accordingly, as each of claims 2-3, 5 and 51 are enabled by the specification, Applicants respectfully request that the § 112 rejections be withdrawn.

III. Conclusion

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication of which is respectfully solicited.


To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

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including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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